

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MARYLAND (GREENBELT)

In re:

Chapter 13

Shirley A Wallace ,
Debtor.

Case No: 22-14970

Hearing Date:
January 10, 2023 at 2:00 pm

OBJECTION TO PLAN

Rushmore Loan Management Services, LLC, as servicer of U.S. Bank National Association not in its individual capacity but solely as Legal Title Trustee for RMTP Trust, Series 2021 BKM-TT-V, the holder of the mortgage hereinafter described (together with its predecessors, successors, affiliates, principals, and assigns, hereinafter the “Lender”), a creditor and party in interest herein, and, by and through its undersigned counsel, hereby objects to Debtor’s proposed Chapter 13 Plan. As grounds, Lender states as follows:

1. Lender has an interest herein as the holder of a security interest that is secured by a mortgage on the Debtor’s property located at 4004 Welsley Lane, Bowie, MD 20715 (the “Property”).
2. On November 1, 2022, the Debtor filed a proposed Chapter 13 Plan (the “Plan”).
3. Lender is in the process of filing a Proof of Claim, prior to the established bar-date of January 12, 2023 which will list an approximate total claim amount of \$197,029.00, with an approximate arrearage of \$5,572.54.
4. Debtor’s proposed plan is insufficient to provide for the claim of Secured Creditor. The objecting creditor is due arrears of approximately \$5,572.54. Debtor’s plan indicates a total of \$0.00 is to be paid to Secured Creditor.
5. Lender objects to confirmation of the Debtor’s Plan on the basis that the Plan does not provide for full payment or distribution of Lender’s secured claim.

6. Lender objects to confirmation of the Debtor's Plan on the basis that the arrears are insufficient.

WHEREFORE, Lender respectfully requests that this Honorable Court deny confirmation of the Debtor's proposed Chapter 13 Plan.

Rushmore Loan Management Services, LLC, as
servicer of U.S. Bank National Association not in
its individual capacity but solely as Legal Title
Trustee for RMTP Trust, Series 2021 BKM-TT-V
By its Attorneys,

By: /s/ Rachel Kiefer
Rachel Kiefer
Friedman Vartolo LLP
1325 Franklin Avenue, Ste. 160
Garden City, NY 11530
(T) 212.471.5100
bankruptcy@friedmanvartolo.com

Dated: December 1, 2022

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MARYLAND (GREENBELT)

In re:

Chapter 13

Shirley A Wallace ,
Debtor.

Case No: 22-14970

Hearing Date:
January 10, 2023 at 2:00 pm

CERTIFICATE OF SERVICE

I, Rachel Kiefer, certify that on December 1, 2022, I caused to be served a true copy of the annexed Objection to Confirmation of Plan by First Class Mail in a sealed envelope, with postage prepaid thereon, in a post office or official depository of the U.S. Postal Service addressed to the last known address of the addressee, and the property address as indicated on the attached Service List annexed hereto.

/s/ Rachel Kiefer _____

Rachel Kiefer, Esq.

Attorney for Lender

Friedman Vartolo LLP

1325 Franklin Avenue, Suite 160

Garden City, NY 11530

Email: bankruptcy@friedmanvartolo.com

SERVICE
LIST

Shirley A Wallace

10904 Phillips Drive

Upper Marlboro, MD 20772

Debtor

Jeffrey M. Sirody

Jeffrey M. Sirody and Associates, P.A.

1777 Reisterstown Road

Suite 360 E

Baltimore, MD 21208

Debtor's Counsel

Timothy P. Branigan

9891 Broken Land Parkway

Suite 301

Columbia, MD 21046

Trustee